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Application denied. The parties should submit a case management plan and status letter, as previously ordered, by August 9, 2024 at 5:00 PM. This Court does not stay discovery pending resolution of motions. The Clerk of Court is directed to terminate Dkt. 20.
SO ORDERED.



Arun Subramanian, U.S.D.J.

August 8, 2024

Date: August 9, 2024

VIA ECF

The Honorable Arun Subramanian, U.S.D.J.
United States District Court. Southern District of New York
500 Pearl Street, Courtroom 15A
New York, NY 10007

Re: *Flores v. Mission Ceviche, LLC et al.*
Case No.: 1:24-cv-03626-AS

Dear Judge Subramanian,

We represent defendants Mission Ceviche, LLC d/b/a Mission Ceviche; Mission Ceviche UES Inc. d/b/a Mission Ceviche; Mission Ceviche Canal LLC d/b/a Mission Ceviche; Mission Ceviche Nomad LLC d/b/a Mission Ceviche; Jose Luis Chavez; Brice Mastroluca; and Miguel Yarrow (collectively “Defendants”) in this case. We write, pursuant to Paragraph 3.E. of Your Honor’s Individual Practices in Civil Cases, to respectfully request that the Initial Conference, presently scheduled for August 12, 2024, be adjourned.

On July 31, 2024, Your Honor issued an Order (Dkt. 19), which, *inter alia*, granted Defendants’ letter motion (Dkt. 17) for an extension of time to September 6, 2024 for all Defendants to respond to the complaint. In light of that Order, we communicated to counsel for Plaintiff our intention to request that the Initial Conference be adjourned to a date after September 6, 2024. The reason for this request is to avoid a situation in which the parties would have to file a joint letter and Civil Case Management Plan and Scheduling Order and attend the Initial Conference, all before the response to the Complaint has been filed and served. All of that would require the premature and perhaps duplicative expenditures of time and resources by the parties, counsel, and the Court. Plaintiff’s counsel replied, “We don’t consent,” but did not give a reason for refusing to consent (*See*, Paragraph 3.E.(5) of Your Honor’s Individual Practices in Civil Cases).

This is the first request for an adjournment of the Initial Conference. The requested adjournment will not affect any other dates or deadlines in this case, as the only date/deadline presently on the Court’s docket is the September 6, 2024 deadline for all Defendants to respond to the complaint, as previously discussed. We greatly appreciate the Court’s attention to this matter and are available at the Court’s convenience should it have any questions.

Respectfully submitted,

/s/ David J. Grech